

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

Mr. BARTLETT of Maryland led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills and concurrent resolutions of the House of the following titles:

H.R. 421. An act to reauthorize the United States Institute for Environmental Conflict Resolution, and for other purposes.

H.R. 1367. An act to authorize the Secretary of Agriculture to conduct a loan repayment program regarding the provision of veterinary services in shortage situations, and for other purposes.

H.R. 1683. An act to increase, effective as of December 1, 2003, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

H.R. 1821. An act to award a congressional gold medal to Dr. Dorothy Height in recognition of her many contributions to the Nation.

H.R. 3349. An act to authorize salary adjustments for Justices and judges of the United States for fiscal year 2004.

H. Con. Res. 69. Concurrent resolution expressing the sense of Congress that Althea Gibson should be recognized for her ground breaking achievements in athletics and her commitment to ending racial discrimination and prejudice within the world of sports.

H. Con. Res. 71. Concurrent resolution recognizing the importance of Ralph Bunche as one of the great leaders of the United States, the first African-American Nobel Peace Prize winner, an accomplished scholar, a distinguished diplomat, and a tireless campaigner of civil rights for people throughout the world.

H. Con. Res. 106. Concurrent resolution recognizing and honoring America's Jewish community on the occasion of its 350th anniversary, supporting the designation of an "American Jewish History Month", and for other purposes.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills and a concurrent resolution of the House of the following titles:

H.R. 100. An act to restate, clarify, and revise the Soldiers' and Sailors' Civil Relief Act of 1940.

H.R. 622. An act to provide for the exchange of certain lands in the Coconino and Tonto National Forests in Arizona, and for other purposes.

H.R. 1006. An act to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species.

H.R. 1012. An act to establish the Carter G. Woodson Home National Historic Site in the District of Columbia, and for other purposes.

H. Con. Res. 339. Concurrent resolution providing for the sine die adjournment of the first session of the One Hundred Eighth Congress.

The message also announced that the Senate has passed bills and concurrent resolutions of the following titles in which the concurrence of the House is requested.

S. 33. An act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites.

S. 391. An act to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes.

S. 425. An act to revise the boundary of the Wind Cave National Park in the State of South Dakota.

S. 434. An act to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes.

S. 435. An act to provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, and for other purposes.

S. 452. An act to require that the Secretary of the Interior conduct a study to identify sites and resources, to recommend alternatives for commemorating and interpreting the Cold War, and for other purposes.

S. 551. An act to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, and for other purposes.

S. 610. An act to amend the provision of title 5, United States Code, to provide for workforce flexibilities and certain personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes.

S. 714. An act to provide for the conveyance of a small parcel of Bureau of Land Management land in Douglas County, Oregon, to the county to improve management of and recreational access to the Oregon Dunes National Recreation Area, and for other purposes.

S. 811. An act to support certain housing proposals in the fiscal year 2003 budget for the Federal Government, including the downpayment assistance initiative under the HOME Investment Partnership Act, and for other purposes.

S. 1003. An act to clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River.

S. 1279. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area.

S. 1499. An act to adjust the boundaries of Green Mountain National Forest.

S. 1522. An act to provide new human capital flexibilities with respect to the GAO, and for other purposes.

S. 1531. An act to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall.

S. 1537. An act to direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery.

S. 1567. An act to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, and for other purposes.

S. 1929. An act to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to extend the mental health benefits parity provisions for an additional year.

S. 1947. An act to prohibit the offer of credit by a financial institution to a financial institution examiner, and for other purposes.

S. Con. Res. 77. Concurrent resolution expressing the sense of Congress supporting vigorous enforcement of the Federal obscenity laws.

S. Con. Res. 82. Concurrent resolution recognizing the importance of Ralph Bunche as one of the great leaders of the United States, the first African-American Nobel Peace Prize winner, an accomplished scholar, a distinguished diplomat, and a tireless campaigner of civil rights for people throughout the world.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1) "An Act to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2622) "An Act to amend the Fair Credit Reporting Act, to prevent identity theft, improve resolution of consumer disputes, improve the accuracy of consumer records, make improvements in the use of, and consumer access to, credit information, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House of Representatives to the bill (S. 1768) "An Act to extend the national flood insurance program."

The message also announced that pursuant to Public Law 94-201, as amended by Public Law 105-275, the Chair, on behalf of the President pro tempore, appoints Dr. Daniel Botkin, of California, as a member of the Board of Trustees of the American Folklife Center of the Library of Congress, vice Susan Barksdale Howorth, of Mississippi.

APPOINTMENT OF HONORABLE ROSCOE G. BARTLETT OF MARYLAND TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS ON TODAY

The SPEAKER pro tempore laid before the House the following Communication from the Speaker:

WASHINGTON, DC,
November 25, 2003.

I hereby appoint the Honorable ROSCOE G. BARTLETT to act as Speaker pro tempore to sign enrolled bills and joint resolutions on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

APPOINTMENT OF HONORABLE TOM DAVIS OF VIRGINIA OR HONORABLE MAC THORNBERRY TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS UNTIL THE DAY THE HOUSE CONVENES FOR THE SECOND SESSION OF THE 108TH CONGRESS

The Speaker pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 25, 2003.

I hereby appoint the Honorable TOM DAVIS or, if not available to perform this duty, the Honorable MAC THORNBERRY to act as Speaker pro tempore to sign enrolled bills and joint resolutions until the day the House convenes for the second session of the 108th Congress.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 6 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1315

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BARTLETT of Maryland) at 1 o'clock and 15 minutes p.m.

CONFERENCE REPORT ON H.R. 2673, CONSOLIDATED APPROPRIATIONS ACT, 2004

Mr. YOUNG of Florida submitted the following conference report and statement on the bill (H.R. 2673) making appropriations for Agriculture, Rural De-

velopment, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes:

[The conference report will be available in Book II of the CONGRESSIONAL RECORD.]

COMMENTS REGARDING CONFERENCE REPORT ON H.R. 2673

(Mr. OBEY asked and was given permission to speak out of order for 7 minutes.)

Mr. OBEY. Mr. Speaker, I wanted to take this time to comment on the legislation just filed. The legislation just filed would complete the work of the Committee on Appropriations and the Congress on a number of appropriation bills which were not able to get through the system one by one, as is the usual process. But in the process of putting together this omnibus appropriation bill, the House has, I think, reached a new low in terms of its willingness to reflect the will of the membership.

We elect in this country 535 people to come to this Congress, 435 of them in this institution; and the idea is that those Members are supposed to vote on various issues, and after those Members have voted, then a conference committee between the Senate and the House is supposed to iron out whatever differences remain between the House and the Senate in the consideration of that legislation.

That is really not what happened on this legislation this year. Time and time again, the conferees simply disregarded the will of Members of both Houses, went into a back room, and decided on their own, without consulting anybody but themselves and the White House, that they were going to cut the cards a different way and deal a new hand to everyone.

So we find, for instance, that in the legislation just filed, even though both Houses of Congress in public, on-the-record votes made the decision to try to scale back the expansion of the ability of large businesses in the communications industry to own television stations, despite the fact that both branches of the Congress voted to put a 35 percent cap on the percentage of American homes that should be reachable by any one corporate entity in the television business, despite that fact, the conferees produced legislation just filed at this moment which changes that cap and raises it to 39 percent. No votes taken in either House to do that, just an arbitrary judgment because the White House said, "If you do not do it our way, we are going to hold our breath and turn blue."

So the conferees caved and went against the position of both Houses. I think that is a national scandal. This is a backroom deal to strengthen the hands of the national media giants against local control of television. It allows ABC and NBC to acquire additional stations up to the new 39 percent

limit, and it takes Fox and CBS off the hook so that they do not have to divest as they would have had to if the will of the House and the Senate had prevailed.

I am also concerned about what has happened here with the across-the-board cut that is being provided in this legislation because, as I understand the impact of that cut, that is going to mean a reduction of \$178 million in crucial veterans medical care; and it is going to, as I understand it, severely hamper the VA in its ability to reduce the backlog in handling cases brought to them by veterans. It now takes about 157 days to process a veteran's claim; and this across-the-board cut in the operations of the VA will, I am afraid, result in seeing those delays expanded rather than contracted.

I also want to take just a moment to point out that this institution has engaged in a very questionable practice with respect to congressional earmarks. In the past, there is no question that Congress had provided significant numbers of earmarks. But in the past 4 or 5 years, in my view, that has gotten incredibly out of control. There is nothing wrong with Congress deciding to take a reasonable number of projects through earmarks in order to give this institution an opportunity to define what activities it considers to be very important; but when the practice explodes to such a degree that virtually every university hires a lobbyist to try to obtain funds through the political process rather than the process of peer review, then the Congress abandons all pretext of taxpayers' moneys being used in rational fashion.

The other problem, Mr. Speaker, is that when earmarks change in character from being a convenience to Members to a weapon in the hands of the majority party to punish Members of the minority party who oppose those appropriation bills, then we have, I think, fundamentally corrupted the appropriations process of the House, and I think it becomes a source of shame for the House in many ways. We have had a huge explosion in the amount of Member-directed earmarks over the past 4 or 5 years; and I would say that when that is accompanied by the idea that Members will be punished if they vote on the basis of substance, then I think this Congress ceases to be a body which can earn the respect of the American people. It seems to me that if we are going to allow earmarks to be used as a partisan threat, then what we will do is eliminate the ability of the appropriations process to be considered on the merits, and the only thing Members will be focused on will be their local pork projects rather than the broader welfare of the country; and I think that will demean the process of the Congress and demean the American people in the process.

RECESS

The SPEAKER pro tempore (Mr. BARTLETT of Maryland). Pursuant to